

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2060

H.P. 1437

House of Representatives, March 25, 1999

An Act to License Home Building Contractors.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative NORBERT of Portland.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: BOLDUC of Auburn, SIROIS of Caribou, TOWNSEND of Portland, TRIPP
of Topsham, USHER of Westbrook, WATSON of Farmingdale, Senator: KONTOS of
Cumberland.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 3 MRSA §959, sub-§1, ¶C, as amended by PL 1997, c. 727, Pt. A, §2, is further amended by amending subparagraphs (48) and (49) to read:

(48) Board of Licensing of Dietetic Practice in 2005;
and

(49) Board of Complementary Health Care Providers in 2007; and

Sec. 2. 3 MRSA §959, sub-§1, ¶C, as amended by PL 1997, c. 727, Pt. A, §2, is further amended by enacting subparagraph (50) to read:

(50) Board of Home Building Construction in 2007.

Sec. 3. 5 MRSA §151, first ¶, as repealed and replaced by PL 1997, c. 393, Pt. B, §1 and affected by §2, is amended to read:

All money received by the Treasurer of State from those boards listed in section 12004-A constitutes a fund for each board, which is a continuous carrying account for the payment of the compensation and expenses of the members and the expenses of the board and for executing the law relating to each board respectively, and as much of the fund as may be required is appropriated for these purposes. The secretary of each board is entitled to reimbursement for all expenditures for books, stationery, printing and other necessary expenses incurred in the discharge of the secretary's duties. All payments must be made from the respective funds held in the State Treasury, after the approval of the State Controller. In no event may these payments exceed the amounts received by the Treasurer of State from the treasurer of each respective board. Any balance remaining to the credit of any board at the end of any year must be carried forward to the next year.

Sec. 4. 5 MRSA §12004-A, sub-§20-A is enacted to read:

<u>20-A.</u>	<u>Public members -</u>	<u>32 MRSA</u>
<u>Board of</u>	<u>Legislative Per Diem</u>	<u>§14006</u>
<u>Home Building</u>	<u>Other members - no</u>	
<u>Construction</u>	<u>compensation authorized</u>	

Sec. 5. 10 MRSA §1487, sub-§§3 and 5, as enacted by PL 1987, c. 574, are amended to read:

2 **3. Work dates.** Both the estimated date of commencement of
work and the estimated date when the work will be substantially
completed and the penalties incurred if these dates are missed;

4
6 **5. Payment.** The method of payment, with the initial down
payment being limited to no more than 1/3 of the total contract
price and with a provision for withholding 10% of the final
8 payment for 10 days pending evaluation of the work;

10 **Sec. 6. 10 MRSA §1487, sub-§11,** as amended by PL 1989, c. 193,
§1, is further amended to read:

12
14 **11. Residential insulation.** If the construction includes
installation of insulation in an existing residence, any
disclosures required by chapter 219, Insulation Contractors; and

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18 **Sec. 7. 10 MRSA §1487, sub-§12,** as enacted by PL 1989, c. 193,
§2, is amended to read:

20 **12. Energy standards.** A statement by the contractor that
chapter 214 establishes minimum energy efficiency building
22 standards for new residential construction, and whether the new
building or an addition to an existing building will meet or
24 exceed those standards.; and

26 **Sec. 8. 10 MRSA §1487, sub-§13** is enacted to read:

28 13. Certificates of insurance. A statement that the
contractor has insurance for workers' compensation, if required,
30 and for general liability.

32 **Sec. 9. 10 MRSA §1489,** as enacted by PL 1987, c. 574, is
repealed.

34 **Sec. 10. 10 MRSA §1490-A** is enacted to read:

36 §1490-A. Civil actions

38 A home construction contract is not enforceable by the
40 contractor unless the contract conforms to the provisions of this
chapter.

42 **Sec. 11. 10 MRSA §8001, sub-§38, §§KK and LL,** as enacted by PL
44 1995, c. 560, Pt. H, §4 and affected by §17, are amended to read:

46 KK. Board of Boiler Rules; and

48 LL. Board of Elevator and Tramway Safety.; and

2 Sec. 12. 10 MRSA §8001, sub-§38, ¶MM is enacted to read:

4 MM. Board of Home Building Construction.

6 Sec. 13. 32 MRSA c. 124 is enacted to read:

8 **CHAPTER 124**

10 **HOME BUILDING CONSTRUCTION**

12 **§14001. Definitions**

14 As used in this chapter, unless the context otherwise
indicates, the following terms have the following meanings.

16 1. Board. "Board" means the Board of Home Building
Construction.

18 2. Commissioner. "Commissioner" means the Commissioner of
20 Professional and Financial Regulation.

22 3. Construct. "Construct" means to erect, reconstruct,
24 demolish, alter, convert, repair, renovate, restore or remodel.

26 4. Department. "Department" means the Department of
Professional and Financial Regulation.

28 5. Home. "Home" means a combination of materials, whether
30 portable or fixed, that comprises a structure affording
facilities or shelter for use as a dwelling with 3 or fewer units
32 and garages, if any. "Home" does not mean manufactured housing
or mobile homes certified pursuant to the manufactured housing
34 laws of the State.

36 6. Home building contractor. "Home building contractor"
means a person who independently, or through others, offers,
38 submits a bid or undertakes to construct, as the prime
contractor, a home other than the person's own home that requires
40 at least 2 unrelated trades or skills.

42 7. Home construction supervisor. "Home construction
supervisor" means a person who supervises home construction.

44 8. Supervision. "Supervision" means to be present at some
46 time on the site and to supervise and approve construction,
reconstruction, alterations, removal or demolition.

48 **§14002. License required**

2 Effective January 1, 2001, unless specifically exempted by
3 this chapter, a person may not use the title, engage in the
4 business or act in the capacity of a home building contractor or
5 home construction supervisor unless licensed in accordance with
6 this chapter. An unlicensed contractor who builds a home for the
7 contractor's own use may not sell that home for one year from the
8 time of its completion. A person who violates this section
9 commits a Class D crime.

10 **§14003. Violation**

12 A person who violates a provision of this chapter, other
13 than section 14002, is guilty of a Class E crime. The State,
14 including the board, may bring an action in Superior Court to
15 enjoin a person from violating this chapter, regardless of
16 whether proceedings have been or may be instituted in the
17 Administrative Court or whether criminal proceedings have been or
18 may be instituted. The board may bring legal action against
19 unlicensed contractors in Superior Court for violation of section
20 14002.

22 Evidence of the securing of a building or construction
23 permit from a governmental agency, the employment of a person on
24 a building project, the offering of a bid to act as contractor or
25 advertising as a home building contractor constitutes prima facie
26 evidence of engaging in the business or acting in the capacity of
27 a home building contractor.

28 **§14004. Civil actions**

30 A contract for constructing a home is not enforceable by the
31 contractor unless the contractor was properly licensed at the
32 time the work was performed.

34 **§14005. Other laws**

36 The provisions of this chapter are in addition to other
37 provisions of state law. If a conflict exists, the law that is
38 the more favorable to the consumer applies.

40 **§14006. Board of Home Building Construction; establishment;**
41 **compensation**

44 1. Establishment. The Board of Home Building Construction,
45 as established by Title 5, section 12004-A, subsection 20-A, is
46 created within the Department of Professional and Financial
47 Regulation to carry out the purposes of this chapter.

48 2. Members. The board consists of 9 members appointed by
49 the Governor. Each member must be a citizen of the United States
50

2 and a resident of the State. Members must be selected in a
4 manner that provides geographic representation of various parts
6 of the State. The qualifications of board members are as follows.

8 A. One member must be a person whose principal business is
10 the construction of homes.

12 B. One member must be a specialty contractor involved in
14 only one construction trade who is not required to be
16 licensed under other laws of this State.

18 C. One member must be a real estate developer who contracts
20 for the construction of homes but does not construct them.

22 D. One member must be an architect licensed in the State.

24 E. One member must be an engineer licensed in the State.

26 F. One member must be a subcontractor in the construction
28 of homes.

30 G. Three members must be members of the public who are not
32 in the home construction business and whose parents, spouses
34 and children have no such involvement.

36 3. Terms of office. Except for those members chosen for
38 initial terms of one, 2 or 3 years, board members must be
40 appointed for terms of 3 years each. A person chosen to fill a
42 vacancy may be appointed only for the unexpired term of the board
44 member to be succeeded. Upon the expiration of the term of
46 office, a board member continues to serve until a successor has
48 been appointed and qualified. The Governor shall appoint a new
50 member within 30 days of the occurrence of a vacancy. A person
may not be appointed for more than 2 full consecutive terms.
Upon expiration of a member's first term, the board shall
recommend to the Governor whether the member should be
reappointed.

4. Removal. The Governor may remove a member of the board
for good cause, which includes malfeasance and neglect of duty.
A member who is subject to removal must be granted a hearing
before the Governor upon request.

5. Conflict of interest. A board member may not
participate in matters before the board in which the board member
has a pecuniary interest or any other conflict of interest.

6. Compensation. Public members of the board are entitled
to compensation as provided in Title 5, chapter 379.

2 7. Meetings; quorum. The board shall hold at least 2
4 meetings each calendar year. Additional meetings must be held
6 upon the call of the chair or the secretary or upon the written
8 request of 2 board members. Five members of the board constitute
10 a quorum.

12 8. Officers. The board shall select a chair, a vice-chair
14 and a secretary at the end of its first meeting. These officers
16 must be selected annually.

18 **§14007. Powers; duties**

20 The board has the following duties and powers in addition to
22 all other powers and duties under this chapter.

24 1. Administration and enforcement. The board shall
26 administer and enforce this chapter.

28 2. Rules. The board shall adopt rules necessary for
30 administration of this chapter. Rules dealing with fees are
32 major substantive rules pursuant to Title 5, chapter 375,
34 subchapter II-A and must be supported by information required by
36 subsection 9. Other rules, unless specifically excepted, are
38 routine technical rules as defined in Title 5, chapter 375,
40 subchapter II-A.

42 3. Complaints and violations. The board shall on its own
44 motion actively oversee the practice of home building
46 construction to ascertain if acts that are grounds for discipline
48 under section 14012, subsection 1 are being committed. The board
shall investigate or cause to be investigated a complaint made on
its own motion or a written complaint filed with the board and
any case of noncompliance with or violation of this chapter or
the rules adopted by the board, including unlicensed practice.
The board shall establish procedures to allow and facilitate the
filing of written complaints by consumers and shall ensure that
the public is aware of the right to file complaints.

42 4. Records. The board shall keep records and minutes as
44 determined necessary by the board.

46 5. Contracts. The board may enter into contracts to carry
48 out its responsibilities under this chapter.

42 6. Hearings. The board shall conduct hearings to assist in
44 investigating complaints and to determine whether grounds exist
46 for refusing to renew a license. The board may not refuse to
48 renew a license unless the person who is refused the license is
offered the opportunity for an adjudicatory hearing. These

2 hearings must be conducted in conformity with Title 5, chapter
3 375, subchapter IV.

4 7. Code of ethics and bill of rights. The board shall
5 adopt by rule a code of ethics for home building contractors and
6 a bill of rights for consumers. These must be made available at
7 no cost to licensed home building contractors. The board shall
8 adopt the code of ethics of a national home builders association
9 if such exists; otherwise the board shall develop a code.

10
11 8. Register. The board shall make available to consumers
12 at the cost of printing, handling and mailing a register of all
13 contractors licensed with the board that contains information
14 provided by the contractors at the time of licensing. The board
15 shall determine what information from a contractor's financial
16 statement may be released to the public. This register may be
17 made available in editions that cover the State by geographic
18 area and must be priced accordingly. The register must be
19 revised at least biennially. The board shall widely publicize
20 the availability of the register. The register must include the
21 materials required by subsection 12.

22
23 9. Budget. The board shall submit to the commissioner, as
24 provided in Title 5, section 1665, a budget sufficient to carry
25 out this chapter. The commissioner shall transmit this budget,
26 together with any revisions, to the Department of Administrative
27 and Financial Services, Bureau of the Budget. The commissioner
28 shall inform the board in writing of the reasons for any revision
29 to the board's budget.

30
31 10. Fees. Within the limits set by law, the board shall
32 set fees by rule for licensing and renewals that are sufficient,
33 but no more than sufficient in the long term, to implement the
34 provisions of law and of the rules adopted by the board,
35 including the provisions of subsection 3.

36
37 11. Report. No later than August 1st of each year, the
38 board shall submit to the commissioner a report of its operations
39 and financial position for the preceding fiscal year ending June
40 30th, together with comments and recommendations the board
41 determines necessary. The report must include comments regarding
42 the quality and quantity of employee assistance provided by the
43 department and the Department of the Attorney General.

44
45 12. Education. The board shall produce and distribute
46 written material to educate the consumer and the home building
47 contractor. This material must include a basic business
48 practices guide for contractors. For consumers, it must include:

- 2 A. A description of the licensing program and its
 significance;
- 4 B. Advice on obtaining references, including the ability to
 contact the board, if desired, and the importance of
6 obtaining references;
- 8 C. A summary of the state law for home construction
 contracts;
- 10 D. The necessity of and method for checking the quality of
12 the work;
- 14 E. Instructions regarding complaint procedures;
- 16 F. Instructions regarding situations when the newly
 constructed home is purchased from a 3rd party, not the
18 contractor; and
- 20 G. The existence of the Contractors' Guaranty Fund.

22 These materials must be provided in sufficient quantity at no
 cost to licensed contractors. The board shall consult with the
24 commissioner, the state chapter of a national association of
 retired persons and the Department of Human Services, Bureau of
26 Elder and Adult Services relative to implementing an education
 program targeted at the specific issues of the elderly regarding
28 home construction.

30 §14008. Issuance of licenses

32 1. Application; qualifications. The board shall issue a
 license to any person who provides information that the board
34 requires on forms provided by the board and who, in the board's
 opinion, meets the qualifications for licensure as set out in
36 this section.

38 2. Home building contractor licenses. The board may issue
 the following licenses.

40 A. A Class C license authorizes a person to apply siding,
42 replace windows, reroof and engage in similar activities as
 the board may determine. To obtain a Class C license, the
44 applicant must:

46 (1) Show proof of at least a \$50,000 liability
 insurance policy; and

48 (2) Pay a fee as adopted by the board, not to exceed
50 \$100 per biennium.

2 B. A Class B license authorizes a person to perform home
3 building construction that does not require a permit. To
4 obtain a Class B license, a person must:

6 (1) Submit evidence of experience under the
7 supervision of the equivalent of a Class A home
8 building contractor for at least 4 years together with
9 one certificate of satisfactory performance from the
10 supervising contractor on a form provided by the board;
11 and

12 (2) Pay a fee as adopted by the board.

13 C. A Class A license authorizes a person to construct homes
14 as a home building contractor and to perform any of the
15 functions authorized for a Class B or C license. To obtain
16 a Class A license, a person must:

17 (1) Have 4 years of experience as a Class B home
18 building contractor, or the equivalent in another
19 state, or have successfully completed 2 years of
20 construction education from an accredited institution
21 acceptable to the board or any combination of
22 experience and education acceptable to the board. The
23 applicant must support the experience qualification
24 with 3 certificates of satisfactory performance from
25 customers attesting to satisfactory performance on
26 forms provided by the board;

27 (2) Have successfully passed an examination indicating
28 a basic understanding of:

29 (a) General building principles based on a
30 national examination, if one exists; and

31 (b) State laws and rules concerning home building.

32 The board shall accept evidence of basic competence as
33 successful passage. In granting a license, the board
34 shall make recommendations to the licensee as to
35 subjects to which continuing education should be
36 directed if test results indicate specific areas of
37 lesser knowledge;

38 (3) Provide proof of a \$300,000 combined single limit
39 liability insurance policy;

40 (4) Provide proof of workers' compensation insurance;

41

- 2 (5) Provide an audited financial statement indicating
at least \$15,000 in working capital;
- 4 (6) Provide a credit report indicating no outstanding
past due debts;
- 6 (7) Provide proof of unemployment insurance or of
8 exemption from the laws that require unemployment
10 insurance;
- 12 (8) Provide a signed tax statement acknowledging
payment of all federal, state and local taxes; and
- 14 (9) Provide a satisfactory bank reference.

16 D. To be licensed as a home construction supervisor, a
18 person must meet the qualifications of subsection 2,
paragraph C, subparagraphs (1) and (2).

20 3. License; renewals. A license is valid for 2 years. The
22 commissioner shall determine the date of expiration most
24 compatible with the workload of the department. A licensee
26 seeking a renewal of a license shall update all information
28 provided in the original application on forms provided by the
30 board, including proof of current liability and workers'
32 compensation insurance, satisfactory credit and bank references
and a financial statement. The board shall mail notice of
expiration to the licensee's last known address at least 30 days
in advance of the expiration of the license. The board shall
develop requirements for ensuring continuing competence. A
continuing education requirement must include a provision for
determining satisfactory passage.

34 4. Fees. The board shall establish application,
36 examination, initial licensing and license renewal fees in
38 amounts that are necessary; to implement and administer the
40 licensing program; to provide the education materials specified
42 in this chapter; to produce the register of licensees; to provide
44 for adequate legal, investigative and inspection personnel on the
46 board's staff or that of the Attorney General; and to ensure that
48 violations are brought to the board's attention, complaints are
investigated and all matters are resolved in a timely fashion.
If adequate support is not provided by the Attorney General, the
board, contingent upon approval of the Attorney General as
required by Title 5, section 191, shall engage legal counsel to
advise the board generally and, specifically, to represent the
board in hearings before it and in appeals taken from a decision
of the board. The Attorney General may not deny approval without
providing reasons for doing so specific to the particular

2 situation. License fees for Class B and C licenses may not
3 exceed \$250 per biennium.

4 **§14009. Consumer information**

6 At the time of submitting a bid, a contractor must provide
7 the potential customer with a copy of the consumer materials
8 required by section 14007, subsection 12. A written
9 acknowledgement of receipt must be obtained at the time a
10 contract is signed.

12 **§14010. Supervision**

14 When any of the following functions are taking place on a
15 home construction site, supervision by the home building
16 contractor or a home construction supervisor is required:
17 excavation; construction of the foundation; decking; chimneys;
18 rough framing; and finished framing.

20 **§14011. Enforcement**

22 In the course of a municipal building inspector's regular
23 functions, the inspector shall inspect for construction practices
24 that are a violation of section 14012, subsection 1 and report to
25 the board. If in the opinion of the board the activities of
26 these municipal inspectors are not sufficient to ensure that
27 violations of this chapter are brought to the attention of the
28 board, the board shall take any action necessary to remedy this
29 situation, including budgeting for and requesting the
30 commissioner to appoint state building inspectors.

32 **§14012. Disciplinary action**

34 1. Grounds. The board may refuse to renew or may revoke or
35 suspend a license pursuant to Title 5, section 10004 or may take
36 other actions pursuant to Title 10, section 8003, subsection 5.
37 These actions may be based on the following grounds:

38 A. Practicing fraud or deceit in obtaining a license under
39 this chapter;

42 B. Engaging in conduct that shows a lack of ability to
43 render a service owed the customer or a lack of knowledge or
44 ability to apply principles or skills of construction;

46 C. Engaging in unprofessional conduct by violating the code
47 of ethics adopted by the board or showing negligence or
48 misconduct;

2 D. Failing or refusing without good cause to exercise
reasonable diligence in construction;

4 E. Abandoning a contract without legal cause;

6 F. Willfully or deliberately disregarding and violating the
8 applicable building codes or ordinances of the State or its
subdivisions;

10 G. Having had a license, certification or registration in
12 construction or a related field revoked or suspended in
another state, unless the period of revocation or suspension
14 has been completed; or

16 H. Violating the provisions of this chapter or rules of the
board.

18 2. Procedure. Except as provided in Title 5, section
20 10004, a renewal of a license may not be denied or a license
22 revoked or suspended for the reasons in subsection 1 without
24 prior written notice and opportunity for a hearing. The burden
of proof is on the board in a proceeding to deny a renewal of a
26 license or to revoke or suspend a license. A renewal of a
license may not be denied or a license revoked or suspended under
this section except by majority vote of the board.

28 3. Complaints. A person may file a complaint with the board
30 seeking disciplinary action against a person licensed by the
32 board. If the board determines that a complaint alleges facts
34 that, if true, would require nonrenewal of a license or other
36 disciplinary action, the board shall conduct a hearing pursuant
to the Maine Administrative Procedure Act. When the board
establishes that a complaint does not state facts that warrant a
hearing, the complaint may be dismissed. A person making a
complaint must be advised in writing of each formal decision made
by the board regarding that complaint.

38 An individual whose renewal of a license has been denied or
40 whose license has been suspended or revoked may apply to the
42 board for reinstatement one year after the date of the board's
original action. The board may set requirements for relicensure.

44 **§14013. Nonresident license**

46 An applicant for a license under this chapter who is not a
48 resident of the State shall submit with the application an
50 irrevocable consent that service of process on the applicant may
be made by delivery of the process to the commissioner if, in an
action against the applicant in a court of the State arising out
of the applicant's activities as a building contractor in the

2 State, the plaintiff can not, in the exercise of due diligence,
3 effect personal service upon the applicant.

4 **§14014. License numbers**

6 A license number must be assigned to a successful applicant
7 for a home building contractor's license. The licensed home
8 building contractor shall use this number in all advertising,
9 promotional literature, correspondence, contracts and receipts
10 for client payment. Advertising or promotion of home building
11 services in any form by an unlicensed contractor is prohibited.
12 A municipality may not issue a building permit to a home building
13 contractor or home building supervisor without evidence that the
14 applicant is a licensed home building contractor or that the home
15 building supervisor is an agent for a home building contractor on
16 the permitted project. The municipality shall put the
17 applicant's license number on the permit.

18 **§14015. Employees**

20 Subject to the Civil Service Law and with the advice of the
21 board, the commissioner shall appoint employees as necessary to
22 carry out this chapter. A person so employed is an employee of
23 the department and under the administrative and supervisory
24 direction of the commissioner.

26 Upon the request of the board and provision of funding, the
27 commissioner shall arrange for state-approved building inspectors
28 to inspect for violations of this chapter. The commissioner may
29 accomplish this through appointment, contracting or sharing the
30 services of an inspector of another state agency who is qualified
31 to inspect homes.

34 State building inspectors have the right of entry during
35 usual business hours to inspect homes in the performance of their
36 duties. They may enter a home only with the permission of the
37 owner, occupant or person having control of the building or
38 pursuant to a court order.

40 **Sec. 14. Grandfathered home building contractors.** A person who,
41 as of the effective date of this Act, has been engaged as a home
42 building contractor for at least 3 years and submits evidence of
43 completing 5 houses or 10 remodeling projects during that time,
44 submits 5 certificates of recommendation by either consumers or
45 financial institutions on forms provided by the board, passes the
46 license examination required by the Maine Revised Statutes, Title
47 32, section 14008, subsection 2, paragraph C, subparagraph (2) no
48 later than 6 months after licensing and shows proof of a \$300,000
liability insurance policy is qualified for the purpose of

2 licensure under the Maine Revised Statutes, Title 32, section
14008 and, upon payment of the fee adopted by the board, must be
4 issued a Class A license.

6 **Sec. 15. Timetable.** The Governor shall make initial
appointments to the Board of Home Building Construction
8 established by the Maine Revised Statutes, Title 5, section
12004-A, subsection 20-A by December 15, 1999. Of the first
10 board members, the Governor shall appoint 2 for a term of one
year, 2 for a term of 2 years and 5 for terms of 3 years. The
12 commissioner shall call the first meeting of the board by January
30, 2000 and shall act as chair until a chair is selected.

14 **Sec. 16. Working capital advance.** The State Controller is
authorized to advance to the Department of Professional and
16 Financial Regulation, Board of Home Building Construction,
\$100,000 from the General Fund Unappropriated Surplus. These
18 funds will be used to provide the working capital advance
necessary to fund the start-up costs of the board until the
20 receipt of its own dedicated funding from license fees. Funds
advanced for this purpose must be returned to the General Fund
22 Unappropriated Surplus no later than June 30, 2000.

24 SUMMARY

26 This bill requires a home building contractor to be licensed
28 and establishes the Board of Home Building Construction to
oversee the licensing of home building contractors and home
30 construction supervisors. The board shall make available
educational materials for contractors and consumers, including a
32 bill of rights, procedures for dealing with contractors and a
listing of licensed contractors that includes appropriate
34 information from the contractors' application forms.

36 In accordance with the Maine Revised Statutes, Title 5,
section 12015, any joint standing committee recommending passage
38 of this bill is required to submit to the Legislature a written
report to support the recommendation that home building
40 contractors and home construction supervisors be subject to state
regulation.